

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

JUSTIN SMITH, et al.,

Defendants.

Criminal No. 2:23-cr-20191

UNOPPOSED MOTION FOR PROTECTIVE ORDER

The United States (the “Government”) intends to produce certain records and information (hereinafter the “Material”) from potential law enforcement witness’s personnel files related to allegations and findings of misconduct. The United States requests that this Court enter a protective order to protect the Government, the Defendants, and their counsel and agents from claims of improper disclosure of confidential and sensitive information contained therein. Because the Material was contained within the law enforcement officers personnel files, the release of this Material without any restriction would unfairly place the reputation and privacy of the law enforcement officers at risk. The government has consulted with opposing counsel and the Motion is unopposed. The government therefore requests that this Court allow defense access to this Material subject to the following protective measures:

(a) defendants and defense counsel be prohibited from disclosing the Material to anyone other than authorized persons defined as defendants, defense counsel, their respective employees and any person retained by counsel to assist in the preparation, trial, or appeal of this criminal action

(or any collateral civil matter arising directly from this criminal action), including their consultants, agents, experts, and investigators. With respect to such persons, the Material shall be disclosed to the person only to the extent necessary to perform the work for which the person was retained; and the person shall not retain the Material after his or her work related to this criminal action has concluded;

(b) should defendant or defense counsel need to file any motion, pleading, or other notice referencing the Material defendant and defense counsel shall be required to file any such document under seal;and

(c) upon termination of this action and any appeal, or at the conclusion of counsel's representation of the defendant, whichever occurs first, counsel for the defendant shall return the Material to the government or shall certify that said materials have been destroyed.

Respectfully submitted,

KEVIN G. RITZ
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Western District of Tennessee

By: s/David Pritchard

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CERTIFICATE OF SERVICE

I, David Pritchard, hereby certify that the on the date below, I electronically filed the foregoing with the Clerk of Court for the Western District of Tennessee via the Electronic File System which sent notification of said filing to defense counsel.

s/David Pritchard
DAVID PRITCHARD
September 3, 2024